

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

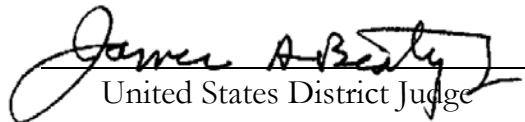
LARRY MCLEOD PULLEY,)	
Petitioner,)	
v.)	1:13CV229
)	
LEWIS SMITH,)	
Respondent.)	

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on April 9, 2013, was served on the parties in this action. Plaintiff objected to the Recommendation. [Doc. # 4.]

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that the Petition be dismissed for failure to apply to the United States Court of Appeals for the Fourth Circuit for an order authorizing this district court to consider the current Petition as is required by 28 U.S.C. § 2244. A Judgment will be entered contemporaneously with this Order.


United States District Judge

Date: May 15, 2013